

RECEIVED  
CENTRAL FAX CENTER

SEP 14 2005

ARMSTRONG TEASDALE LLP

One Metropolitan Square, Suite 2600  
St. Louis, Missouri 63102-2740  
Phone: (314) 621-5070  
Fax: (314) 621-5065  
www.armstrongteasdale.com

**Date:** September 14, 2005

**Please Deliver To:**

**Name:** Examiner Russell Warren Frejd

**Art Unit:** 2128

**Fax:** 571-273-8300

**Serial No.** 09/449,773

**Client/Matter #:** 12729-77

**From:** Phillip A. Shipley

**Total pages including cover page: 12**

*If all pages are not received, please contact Linda Johnson at ext. 7229*

Facsimile Transmittal (1 pg.)

Track and Confirm (1 pg.)

Amendment with related documents as filed June 24, 2004 (10 pgs.)

Examiner Frejd,

Per our conversation, please note the attached.

Regards,

Phillip A. Shipley

*The information contained in this facsimile message is information protected by attorney-client and/or the attorney/work product privilege. It is intended only for the use of the individual named above and the privileges are not waived by virtue of this having been sent by facsimile. If the person actually receiving this facsimile or any other reader of the facsimile is not the named recipient or the employee or agent responsible to deliver it to the named recipient, any use, dissemination, distribution, or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via U.S. Postal Service.*

**\*IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CONTACT US IMMEDIATELY AT (314) 621-5070.**

USPS - Track &amp; Confirm

Page 1 of 1

[Home](#)

## Track & Confirm

### Current Status

You entered EL97 7937 800U S

Your item was delivered on June 25, 2004 at 9:36am in ALEXANDRIA, VA 22313. The item was signed for by M BOSTON. Additional information for this item is stored in files offline.

### Notification Options

► Request Proof of Delivery [What is this?](#) [Go >](#)

### Restoration Options

► Restore Offline Item [What is this?](#) [Go >](#)

### Track & Confirm

Enter label number:

[Go >](#)

Track & Confirm FAQs [Go >](#)

POSTAL INSPECTORS  
Preserving the Trust

[site map](#) [contact us](#) [government services](#)  
Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

BEST AVAILABLE COPY

THE UNITED STATES PATENT OFFICE IS REQUESTED TO IMPRESS ITS  
STAMP ON THIS CARD AND PLACE SAME IN THE OUTGOING MAIL TO  
SHOW THE FOLLOWING PAPERS HAVE BEEN RECEIVED.

Atty Dkt. No.: 13DV-13092 (12729-77)

Inventors: Adibhatla et al.

Serial No.: 09/449,773

Filed: November 26, 1999

For: METHOD AND APPARATUS FOR MODEL BASED DIAGNOSTICS

Enclosed:

- Amendment in Response to the Office Action dated March 24, 2004 (6 pgs.)
- Amendment Transmittal (3 pgs., *in duplicate*)
- Return post card

RBR/ddd

Mailed: June 24, 2004

Express Mail No.: EL 977937800 US

EL 977937800US

BEST AVAILABLE COPY

Entered into PAGE/PIPS

Date: 07/23/04

By: tem

**RECEIVED**  
**CENTRAL FAX CENTER**

SEP 14 2005

PATENT

Attorney Docket No.: 13DV-13092

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Adibhatla et al.  
Serial No.: 09/449,773  
Filed: November 26, 1999  
For: METHODS AND APPARATUS FOR  
MODEL BASED DIAGNOSTICS

Group No.: 2128  
Examiner: Frejd, Russell  
Warren

Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

1. Transmitted herewith is:
- Amendment in Response to the Office Action dated March 24, 2004 (6 pgs.)
  - Amendment Transmittal (3 pgs., *in duplicate*)
  - Return post card

**STATUS**

2. Applicant
- ☒ claims small entity status.  
☐ is other than a small entity.

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**  
✓ deposited with the United States Postal Service  
Express Mail, Post Office to Addressee, Label No. EL  
977937800 US, addressed to: Mail Stop:  
AMENDMENT, Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450.  
Date: June 24, 2004

**FACSIMILE**  
transmitted by facsimile to the Patent and Trademark  
Office

  
Robert B. Reeb, Reg. 45,548

**BEST AVAILABLE COPY**

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) \_\_\_\_\_ Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
_____ First month	\$ 110.00	\$ 55.00
_____ Second month	\$ 400.00	\$ 200.00
_____ Third month	\$ 920.00	\$ 460.00
_____ Fourth month	\$1,440.00	\$ 720.00
_____ Fifth month	\$1,960.00	\$ 980.00

Fee: \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

\_\_\_\_\_ An extension of \_\_\_\_\_ months has already been secured. The fee paid therefor \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_.

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**BEST AVAILABLE COPY**

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

		(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OR	OTHER THAN SMALL ENTITY
		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDITIONAL RATE FEE		ADDITIONAL RATE FEE
TOTAL INDEP.		MINUS		-	x \$9 = \$		x \$18 = \$
		MINUS		-	x \$42 = \$		x \$84 = \$
— FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$130 = \$		+ \$280 = \$
					TOTAL ADDITIONAL FEE \$	OR	TOTAL ADDITIONAL FEE \$

- (a) ☒ No additional fee for Claims is required

OR

- (b) \_\_\_\_\_ Total additional fee for claims required \$

**FEE PAYMENT**

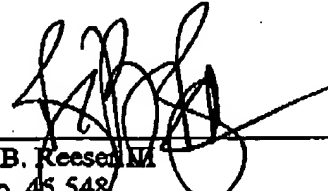
5. \_\_\_\_\_ Attached is a check in the sum of \$ \_\_\_\_\_  
 \_\_\_\_\_ Charge Deposit Account No. 01-2384 the sum of \$ \_\_\_\_\_  
 A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

6. ☒ If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

AND/OR

- ☒ If any additional fee for claims is required, charge Deposit Account No. 01-2384.
7. \_\_\_\_\_ Other:

  
 Robert B. Reesen  
 Reg. No. 45,548  
 ARMSTRONG TEASDALE LLP  
 One Metropolitan Square, Suite 2600  
 St. Louis, MO 63102  
 314/621-5070

**BEST AVAILABLE COPY**

Express Mail No EL 97-37800 US

13DV-13092  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

SEP 14 2005

Applicant: Adibhatla et al.

Serial No.: 09/449,773

Filed: November 26, 1999

For: METHOD AND APPARATUS FOR MODEL BASED  
DIAGNOSTICS

Art Unit: 2128

Examiner: Frejd, Russell W.

AMENDMENT

Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated March 24, 2004, Applicants respectfully request consideration and entry of the following amendment.

BEST AVAILABLE COPY